IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 28TH JULY 2006 / 6TH SRAVANA 1928

Bail Appl..No. 3934 of 2006

CRIME NO.93/2006 OF KONGAD POLICE STATION

PETITIONER/ACCUSED:

P. UMASANKAR, S/O. DHARMADAS,
AGED 44 YEARS, POONIRIKATTIL HOUSE,
AZHIYANOOR DESOM, OTTAPALAM TALUK.

BY ADV. SRI.PHILIP T.VARGHESE
SRI.THOMAS T.VARGHESE

RESPONDENTS:

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 28/07/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A.3934/2006

DATED THIS THE 28TH DAY OF JULY, 2006

O R D E R

The petitioner is accused of the offence punishable under Section 55(i) of the Abkari Act, for he was found in illegal possession of eight liters of Indian made Foreign liquor, on 12.5.2006. On seeing the police authorities of Kongad Police Station, he ran away, submits the prosecution. Therefore, he could not be arrested. Now he is absconding. The petitioner is before this Court, under Section 438 Cr.P.C.

2. After considering the facts on record, I direct the petitioner to surrender before the Investigating Officer in crime No.93/2006 of Kongad Police Station, on 3.8.2006 between 10.00 a.m and 11.00 a.m. The Investigating Officer shall interrogate the petitioner and thereafter, produce him before the Judicial Magistrate of First Class, Ottappalam, as per the law.

3. The prayer, if any, by the investigating officer

for the police custody of the petitioner, for further interrogation, as well as the application for bail, that may be filed by the petitioner, shall be considered on merit, by the learned Magistrate and appropriate orders passed accordingly.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs